

Law Offices of
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**RECEIVED
CENTRAL FAX CENTER**

MAR 17 2005

March 17, 2005

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U. S. Patent Application Serial No. 10/716,581
Filed November 19, 2003
Inventor: Jeanny Zimerl, *et al.*
Title: Process for Manufacture of Granular Sugar Ingredient for Compressed Confections Having Improved Strength

Reply to Notice To File Missing Parts of Nonprovisional Application

Sir:

I hereby certify that the following documents are being transmitted by facsimile today to the Commissioner for Patents at (703) 872-9306:

1) Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b). **Kindly charge the \$1500.00 fee to Deposit Account 502735. This letter is submitted in duplicate.**

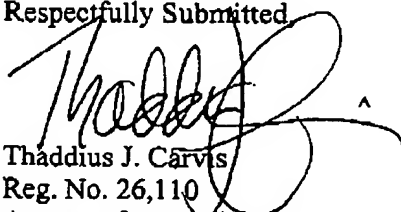
2) Part 2 - Notice of Abandonment

3) Notice To File Missing Parts of Nonprovisional Application-Part 2.

2) Fee Transmittal - with authorization to charge \$130.00 to Deposit Account 502735, in duplicate.

3) Declaration in two (2) parts of four (4) pages each to accommodate signature by the nine (9) listed inventors at several different locations and at different times.

Respectfully Submitted,


Thaddius J. Carvis
Reg. No. 26,110
Attorney for Applicants

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Thaddius J. Carvis

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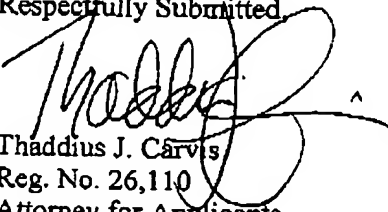
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Respectfully Submitted


Thaddius J. Carvis
Reg. No. 26,110
Attorney for Applicants

PTO/SB/84 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

67554

First named inventor: Sigismondo A. DeTora

Application No.: 10/716,581

Art Unit:

Filed: November 19, 2003

Examiner:

Title: Process for Manufacture of Granular Sugar Ingredient for Compressed Confections Having Improved Strength

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MAR 17 2005

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in the form of Response to Notice of Missing Parts (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (09-04)

Approved for use through 07/31/2006, OMB 0951-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

March 17, 2005

Date

Thaddius J. Carvis

Typed or printed name

26,110

Registration Number, if applicable

102 North King Street

Address

703-737-7817

Telephone Number

Leesburg, VA 20176

AddressEnclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Part 2 - Notice of Abandonment

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

March 17, 2005

Date

Signature

Thaddius J. Carvis

Typed or printed name of person signing certificate

(Page 2 of 2)